

Memorandum

To : Marley Hart, Executive Officer
Occupational Safety and Health Standards Board
2520 Venture Oaks Way, Suite 350
Sacramento, CA 95833

Date: July 24, 2013

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From : Ellen Widess, Chief *E Widess*
Division of Occupational Safety and Health

AUG 02 2013

Subject: Division Evaluation of Petition
Larry Crabtree, Petition File No.535

**OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD**

This memorandum is written in response to the petition received by the Occupational Safety and Health Standards Board (Board) on June 5, 2013, regarding the application Larry Crabtree to revise section 3408 of the General Industry Safety Orders to specify additional standards firefighter foot protection. The Petitioner requests that the standards for foot protection be updated to meet current National Fire Protection Association (NFPA) standards found in NFPA 1977-2011 addition because boots meeting the referenced standard are no longer available.

Existing Standards

Existing Title 8, section 3408 applies to fire fighter foot protection specifies the following:

§3408. Foot Protection.

- (a) Foot protection shall be provided in accordance with Section 3385 for fire fighters while engaged in structural fire fighting activity.
- (b) The use of foot protection shall be coordinated with the wearing of the protective clothing system to ensure full body protection.
- (c) Turnout Boots. Fire fighter turnout boots shall meet the requirements of MIL-B-2885D (5-23-73) and amendment dated 12-31-75.
- (d) In addition to the requirements of Section 3408(a), protective footwear other than turnout boots shall also provide:
 - (1) Slip resistant outsoles.
 - (2) Sole penetration as required in MIL-B2885D (1973) and amendment dated 1975 "Military Specifications for Firemen's Boots."
 - (3) Permanently attached, corrosion resistant midsoles.
 - (4) Firm ankle support in horizontal and vertical working loads.

- (5) If used, corrosion resistant, lockable fasteners.
- (6) Toe protection meeting the requirements of either the ANSI Z41 (1983) or (1991), classification 75, which are hereby incorporated by reference.
- (7) Corrosion resistant ladder shanks.
- (8) Durable outer shell materials withstanding the effects of flame, heat, sharp objects and other hazards encountered in fire fighting activities.
- (e) Toe protection shall be optional for those fire fighters who are regularly engaged in structural and wildlands fire fighting activities.

Federal and Other Standards:

The Federal OSHA Fire Protection standards for fire fighters apply to industrial fire brigades and private fire departments but do not apply to governmental fire agencies. The foot and leg protection standards reference the general foot protection standards and do not include references appropriate NFPA standards.

Discussion:

Title 8, section 3408(c) and 3408(d)(2) contain references to standards that are not currently used in the selection of fire fighter turn out boots. The Division recommends addition of a current standard applicable to fire fighter foot protection. The present reference should also be retained for existing foot wear that may be in use for drills or until replacement is required.

3408(c) Turnout Boots. Fire fighter turnout boots shall meet the requirements of MIL-B-2885D (5-23-73) and amendment dated 12-31-75 or NFPA1977-2011.

3408(d)(2) Sole penetration as required in MIL-B2885D (1973) and amendment dated 1975 "Military Specifications for Firemen's Boots." or NFPA1977-2011.

Conclusion:

The Division believes that this petition should be granted to add additional applicable standards for firefighter foot protection. This change would permit the purchase and use of firefighter boots that are available in the market place and meet Nationally Recognized Standards.

cc: Larry McCune, SSE
Patrick Bell, PSE
Deborah Gold
Suzanne Marria